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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,534	08/21/2003	David L. Stockert	3562-000036	8487

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EXAMINER

STINSON, FRANKIE L

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/646,534

Applicant(s)

STOCKERT ET AL.

Examiner

FRANKIE L. STINSON

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 8 and 10-12 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by either Tani (U. S. Pat. No. 6,234,080), Meissner (U. S. Pat. No. 6,321,760).

Re claim 1 for example, note that Tani and Meissner each disclose an industrial parts washer for cleaning a part, the industrial parts washer comprising: a stand (1 in Tani and 9 in Meissner) adapted to support the part; a chamber (13, 26 in Meissner and 5 in Tani) selectively moveable from a first position clear of the part to a second position engaging said stand, said stand and said chamber forming a sealed volume encapsulating the part when said chamber is in said second position; and a nozzle (8, 11 in Tani and 30 in Meissner) coupled to a pressurized fluid supply, said nozzle being positioned within said chamber and moveable relative to the part.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Tani or Meissner in view of either Kramer (U. S. Pat. No. 5,000,206) or EPO'184.

Claim 4 defines over either Tani or Meissner only in the recitation of the inwardly extending portions. EPO'184 (see fig. 1) and Kramer (as at 26) disclose the inwardly extending portions as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the device of either Tani or Meissner, to have the inwardly extending portions as taught by either Kramer or EPO'184) for the purpose of ensuring sufficient support for the part being treated. Re claims 6 and 7, Kramer discloses the movable guide rod (52) and actuator (unnumbered).

5. Claims 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Tani or Meissner in view of Gentry (U. S. Pat. No. 4,170,240).

Claim 9 defines over either Tani or Meissner only in the recitation of the ring shape. Gentry is cited disclosing the ring shaped nozzle (32) as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the device of either Tani or Meissner, to have the ring shaped nozzle as taught by Gentry for the purpose of ensuring sufficient application of cleaning fluid.

6. Claims 13-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tani or Meissner in view of either Gentry or Kramer et al

Re claim 13 and 21, Tani and Meissner are each cited as applied above and therefore claims 13 and 21 defines over either Tani or Meissner only in the recitation of the selectively movable nozzle. Gentry (as at 40, 32) and Kramer are cited disclosing the movable nozzle as noted above. Also note the cantilever support and hub in Kramer. Also note the drying means (36) and lifting means in Meissner. Note the identical sealed


chamber in Meissner and Tani. Note the hub in Kramer. Note the suction means in (26) in Tani.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In EPO'891, Thompson, Eberle and Janisse, note the chambers.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


FRANKIE L. STINSON
PRIMARY EXAMINER
ART UNIT 1700